

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

ANTONIO THOMAS,)	
)	
)	
v.)	Civil Action No. 3:20CV110–HEH
)	
UNITED STATES,)	
)	
Respondent.)	

**MEMORANDUM OPINION
(Denying § 2255 Motion)**

Antonio Thomas, a federal prisoner currently incarcerated in FCI Petersburg, was convicted and sentenced in the United States District Court for the Eastern District of Wisconsin on June 22, 2018. *See United States v. Thomas*, No. 2:17CR57–PP–1 (E.D. Wis. 2018). On February 19, 2020, the Court received from Thomas a portion of a sheet of paper titled, “Petition for a writ of Habeas Corpus under 28. U.S.C. § 2255,” in which he attacks his conviction for “Hobbs act armed robbery and 924(c).” (ECF No. 1.)


A motion pursuant to 28 U.S.C. § 2255 provides the primary means of collateral attack on the imposition of a federal conviction and sentence. *See Pack v. Yusuff*, 218 F.3d 448, 451 (5th Cir. 2000) (*quoting Cox v. Warden, Fed. Det. Ctr.*, 911 F.2d 1111, 1113 (5th Cir. 1990)). Thomas must file a § 2255 motion in the court where he was convicted and sentenced. Accordingly, Thomas’s § 2255 motion is DENIED WITHOUT PREJUDICE.

The Clerk is DIRECTED to forward to Thomas the form for filing a motion under 28 U.S.C. § 2255. Any § 2255 motion that Thomas files must conform to the rules

governing such motions and be sworn to under the penalty of perjury. *See* Rules Governing § 2255 Proceedings for the U.S. District Courts, Rule 2(b). Thomas is also advised that § 2255 motions are subject to a one-year statute of limitations and a restriction against second or successive petitions. *See* 28 U.S.C. § 2255(f), (h). If Thomas desires to file a § 2255 motion at this time, he should complete the form and send it to the United States District Court for the Eastern District of Wisconsin.

An appropriate Order shall issue.

Date: Feb 26, 2020
Richmond, Virginia


_____/s/
HENRY E. HUDSON
UNITED STATES DISTRICT JUDGE